

CLAIMS      Application No. 10/808088   Banks, et al.   Examiner: Michael Brown

PENDING CLAIMS:      Amendment 37 CFR 1.121, Amendments to the claims:

Claim 1:      (New) (Matter originally presented in claims 1, 3, 4, 5, 6, 8, 9, and 10)

We claim as our invention ~~the specific method of placing a foam covered tube or rod parallel to the spine and between and between a firm surface and the spine as a deep massage and/or acupressure device; that the device is specifically designed to massage the seven layers of muscles supporting the spine; the method as described will simultaneously provide massage and acupressure to the muscles of the spinous process along some or all of the length of the device; and that the written instructions describing the complete method have a 2003 copyrighted date: a back massage system to apply user-controlled pressure to the muscles in the lamina groove on each side of the spine and along the entire length of the spine; is used with a rocking motion in a single axis over the length of the device with the device used as a fulcrum; the system comprising:~~

a rolling means for applying pressure to the lamina groove consisting of a cylindrical hard inner core of firm or semi firm material; the core can either be hollow or solid, covered by a foam-type sleeve; that the core is the instrument for applying massage and/or acupressure parallel to the user's spine, and

the specific method (.COPYRGT. 2003 by Carolyn Leah Banks) of using the rolling means parallel to and alternately on each side of the spine at four locations along the spine beginning at the pelvic girdle and ending at the cervical area; said means is placed between the lamina groove and a firm surface; pressure is equalized against said means by the user for optimum benefit to the user; and relaxation against said means allows gentle vertebral realignment without excess force.

Claim 1. — ~~We claim as our invention a cylindrical hard inner core made of metal, plastic, PVC or other firm or semi firm material; the core can either hollow or solid; it must be covered by a foam type sleeve with an O.D. of 3/4 to 1 3/4" to provide protective padding over the core; that the core is 5 to 10" in length and varies from 1/2" to 1 1/2" in outside diameter; that the variation in diameters allows users to select one of several sizes that best meets their personal massage requirements; and that the core is the instrument for applying massage and/or acupressure.~~

Claim 2:      (Currently amended, restates original Claim 1)

We claim as our invention the device of Claim 1 consisting of:

a cylindrical inner hollow or solid core made of wood, metal, plastic, PVC or other firm or semi firm material;

that the core is 5 to 10" in length and varies from approximately 1/2" 9/16" to 1 1/2" in outside diameter;

that the variation in diameters and lengths allows users to select one of several sizes that best meets their personal massage requirements; ~~and that the core is the instrument for applying massage and/or acupressure.~~

that if said core is hollow, it will include plugs or caps that smoothly transition and close both ends of the core to prevent injury to the user or the core can be solid with both ends slightly beveled for the same smooth transition from the core to the foam-type sleeve at each end; and

that the core is covered by a foam-type sleeve with an approximate O.D. of 3/4 to 1 3/4" to provide protective padding over the core.

Claim 2: (Withdrawn) ~~We claim as our invention the right to use a flexible or semi rigid core in the Rollover when necessary because of abnormalities in some individual's spinous processes.~~

Claim 3: (Currently amended) (matter from original Claim 4)

We claim as our invention the specific steps included in the ~~massage and/or acupressure method~~ device and method of Claim 1 for using the device of Claim 2 including:

- (1) lay supine with knees up and feet comfortably apart and placed parallel to one another on the floor or other firm or semi-firm surface (preferably carpeted for comfort);
- (2) roll slightly to one side, placing the device parallel with the spine and against the lower spine at the pelvic girdle;
- (3) roll[[s]] gently over the device by alternately pushing up with one leg and the hip attached to that leg from the floor, while lowering the opposite hip toward the firm surface, rocking back and forth over the device adjusting pressure against the device by lifting or pushing with the hips, legs, shoulders and abdominal muscles;
- (4) move the device to the other side and repeat;
- (5) move the device to the lower ribcage and repeat the rolling massage on both sides;
- (6) move the device to the upper ribcage and repeat rolling massage on both sides;
- (7) and finally move the device to the cervical area, placing the device one to two inches below the base of the skull massaging both sides, and additional pressure can be applied against the cervical neck area by placing the head slightly off a step to the point where the user's elbows can be dropped over the edge of the step.

Claim 3: (Currently amended) (matter included in Claim 1)

~~We claim as our invention the specific method of placing a foam covered tube or rod parallel to the spine and between a firm surface and the spine as a deep massage and/or acupressure device; that the device is specifically designed to massage the seven layers of muscles supporting the spine; the method as described will simultaneously provide massage and acupressure to the muscles of the spinous process along some or all of the length of the device; and that the written instructions describing the complete method have a 2003 copyrighted date.~~

Claim 4 (Currently amended, modified from Claim 6)

We claim as our invention that the device of Claim 2 can also be used for massage and/or acupressure by placing the device between a wall (or some vertical surface) and the user's back and rotating the user's body in a similar method to the rolling and/or seesaw movement as described in Claim 3.

Claim 4: (Previously presented) in "Claim 3" ~~We claim as our invention the specific steps included in the massage and/or acupressure method for using the device including: (1) lay supine with knees up and feet comfortably apart and placed parallel to one another on the floor or other firm or semi firm surface (preferably carpeted for comfort); (2) roll slightly to one side, placing the device parallel with the spine and against the lower spine at the pelvic girdle; (3) rolls gently over the device by alternately pushing up with one leg and the hip attached to that leg from the floor, while lowering the opposite hip toward the firm surface, rocking back and forth over the device adjusting pressure against the device by lifting or pushing with the hips, legs, shoulders and abdominal muscles; (4) move the device to the other side and repeat; (5) move the device to the lower ribcage and repeat the rolling massage on both sides; (5) move the device to the upper ribcage and repeat rolling massage on both sides; (6) and finally move the device to the cervical area, placing the device one to two inches below the base of the skull and massaging both sides, and additional pressure can be applied against the cervical neck area by placing the head slightly off a step to the point where the individual's elbows can be dropped over the edge of the step.~~

Claim 5: (Currently amended, from Original Claim 10)

We claim as our invention that because the device and method of Claim 1 concurrently provides pressure against several vertebrae, it gently lengthens foreshortened support muscles in the lamina groove, thereby allowing a vertebra, or

vertebrae, to automatically align with its adjacent vertebrae; therefore, when properly used, it can provide intervertebral or intersegmental extension of the spine.

Claim 5: (Withdrawn-currently amended) (matter included in Claim 1)

~~We claim as our invention that our device reduces pain and tension in the spinous processes during and after use and the relaxation required for the method enhances the massage benefits by requiring less pressure to be applied to the spinous processes.~~

Claim 6: (Withdrawn-currently amended by Claim 4)

~~We claim as our invention that the device can also be used for massage and/or acupressure by placing the device between a wall (or some vertical surface) and the user's back and rotating the user's body in a similar to the seesaw movement as described in Claim 3.~~

Claim 7: (Withdrawn)

~~We claim the right to mount the Rollover onto a frame, which can then be mounted onto a vertical surface to allow the user to massage specific areas along their spine when that user cannot easily use a supine position on a horizontal surface.~~

Claim 8: (Withdrawn-currently amended) (matter included in Claim 1):

~~We claim as our invention that the device can either be used for a complete back massage as described in Claim 4 or it can be used only on specific painful sections of the spine, using the same methods as described in Claim 4 for other uses as described in Claims 6 and 7.~~

Claim 9: (Withdrawn-currently amended) (matter included in Claim 1)

~~We claim as our invention that the foam padding added to the firm core allows the user to deep-massage their spinuous processes while somewhat protecting the structural components of their spinous processes from bruising when used as described in Claims 4, 6, 7 and 8.~~

Claim 10: (Withdrawn-currently amended as Claim 5) ~~We claim as our invention that because the method concurrently provides pressure against several vertebrae, it gently lengthens foreshortened support museles in the lamina groove, thereby allowing a vertebra to automatically align with its adjacent vertebrae.~~